

Samuel Brown (Ark. Bar No. 2020210)
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Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
PHOENIX DIVISION

Todd Heichel, Rudy Castro, Justin
Garmendia, Joshua Holgate and Randi
Pitts, Each Individually and on Behalf of
All Others Similarly Situated,

Plaintiffs,

v.

Tri City Transport, LLC, SWWOOP,
LLC, and Michael Butler,

Defendants.

NO. 2:22-cv-1513-PHX-SMM

**DECLARATION OF
SAMUEL BROWN**

Attorney Samuel Brown hereby states on oath as follows:

1. I am over the age of 18 and legally qualified to execute this Declaration.

2. I am admitted to practice law by the Arkansas Supreme Court and the

United States District Court for the Eastern and Western Districts of Arkansas. I was

admitted *pro hac vice* for this case by the District of Arizona on October 6, 2023.

3. I am the attorney for Plaintiffs Todd Heichel, Rudy Castro, Justin Garmendia, Joshua Holgate, Randi Pitts, and several other individuals who have filed consents to join this lawsuit.

4. As of the filing of Plaintiff's Motion for Clerk's Entry of Default, I have received no responsive pleading or motion to dismiss relating to this lawsuit from or on behalf of Defendant Michael Butler.

5. I have granted no extension of any kind to the above-mentioned Defendant.

6. On February 21, 2024, an attorney with the Sanford Law Firm submitted a record request for Defendant Michael Butler on the Servicemembers Civil Relief Act (“SCRA”) Website, <https://scra.dmdc.osd.mil/scra/#/single-record>, and the Status Report that he received in response to his request from the Department of Defense Manpower Data Center confirmed that individual Defendant Michael Butler is not an active duty servicemember of any branch of the United States Uniformed Services.

Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 22nd day of February 2024.

s/ Samuel Brown
Samuel Brown
Ark. Bar No. 2020210
samuel@sanfordlawfirm.com